



03-16-05

TFA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

)
) Group Art Unit: 1652
)

Application No. 09/974,973

Filed: October 12, 2001

For: FEEDBACK-RESISTANT
PYRUVATE CARBOXYLASE GENE
FROM *CORYNEBACTERIUM*

LETTER REGARDING REQUESTS FOR CORRECTION OF INVENTORSHIP

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication includes two requests for correction of inventorship. The first, a request under 37 CFR 1.48(a), is submitted to add Anthony J. Sinskey, Laura B. Willis, and Stephane Guillouet as inventors to the application. The request under 37 CFR 1.48(a) is based on the application and claims as filed and prior to amendment. Applicants ask that the Request under 37 CFR 1.48(a) be considered first.

The second request is filed under 37 CFR 1.48(b). As stated in that request, amendments made subsequent to execution of the corrected declaration have removed Stephane Guillouet's contribution from the claims. Applicants ask that the Request under 37 CFR 1.48(b) be considered second.

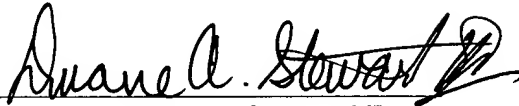
To summarize: Applicants request that Anthony J. Sinskey, Laura B. Willis, and Stephane Guillouet be added as inventors to this application. After that addition, Stephane Guillouet should be removed as an inventor for the application.

CONCLUSION

Based upon the foregoing information, it is respectfully requested that the inventorship be corrected as described in the two Requests accompanying this letter.

Respectfully submitted,

Dated: March 14, 2005

By: 
Duane A. Stewart III
Reg. No. 54,468

BUCHANAN INGERSOLL PC
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410
(T) 412-562-1622
(F) 412-562-1041
E-mail: stewartda@bipc.com



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth
)

) Group Art Unit: 1652
)

Application No. 09/974,973
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Filed: October 12, 2001
)

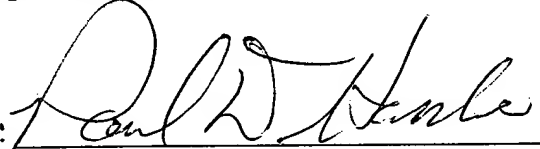
For: FEEDBACK-RESISTANT
PYRUVATE CARBOXYLASE GENE
FROM *CORYNEBACTERIUM*
)

CURRENT INVENTOR'S STATEMENT

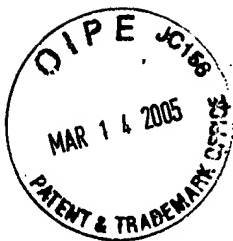
I agree to the addition of Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors to the above-captioned patent application.

Dated: 3/7/05

Respectfully submitted,

By: 

Paul D. Hanke
Decatur, Illinois



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

) Group Art Unit: 1652

) Application No. 09/974,973

) Filed: October 12, 2001

) For: FEEDBACK-RESISTANT
) PYRUVATE CARBOXYLASE GENE
) FROM *CORYNEBACTERIUM*

ADDED INVENTOR'S STATEMENT

The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Laura B. Willis.

Dated: 11 January 2005

Respectfully submitted,

By: 

Laura B. Willis
Cambridge, Massachusetts



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth
)

) Group Art Unit: 1652
)

Application No. 09/974,973
)

Filed: October 12, 2001
)

For: FEEDBACK-RESISTANT
PYRUVATE CARBOXYLASE GENE
FROM *CORYNEBACTERIUM*
)

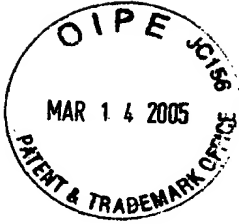
ADDED INVENTOR'S STATEMENT

The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Anthony J. Sinskey.

Dated: 11/11/05

Respectfully submitted,

By: Anthony J. Sinskey
Anthony J. Sinskey
Cambridge, Massachusetts



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

)
) Group Art Unit: 1652

)
) Application No. 09/974,973

)
) Filed: October 12, 2001


)
) For: FEEDBACK-RESISTANT
) PYRUVATE CARBOXYLASE GENE
) FROM *CORYNEBACTERIUM*

ADDED INVENTOR'S STATEMENT

The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Stephane Guillouet.

Dated: 02.10.2005

Respectfully submitted,

By: 
Stephane Guillouet
Ramonville, France

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Hanke, Paul D.

Examiner: Slobodyansky, Elizabeth

Group Art Unit: 1652

Application No. 09/974,973

Filed: October 12, 2001

For: FEEDBACK-RESISTANT
PYRUVATE CARBOXYLASE GENE
FROM *CORYNEBACTERIUM*

ASSIGNEE'S STATEMENT

Archer Daniels Midland Company agrees to the requested addition of Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application. A statement of assignment was previously recorded at the USPTO (reel/frame 0123100/0044).

Dated: 3-7-05

Respectfully submitted,

By: 

David J. Smith
Executive Vice President,
Secretary, and General Counsel
Archer Daniels Midland Company



Case No. 031001

Page 1 of 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

As a below named inventor, I hereby declare that:
I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the
subject matter which is claimed and for which a patent is sought on the invention entitled
"Feedback-Resistant Pyruvate Carboxylase Gene From *Corynebacterium*"

the specification of which

☐ is attached hereto;

☒ was filed on October 12, 2001 as Application
Serial No. 09/974,973 and was amended
through _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified
specification, including the claims, as amended as indicated above.

I acknowledge the duty to disclose information which is material to the examination of this
application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign
application(s) for patent or inventor's certificate listed below and have also identified below any foreign
application for patent or inventor's certificate for the same invention having a filing date before that of the
application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Country	Number	Date Filed	Attorney Docket

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Country	Number	Date Filed	Attorney Docket
			Yes No

<input type="checkbox"/>	<input type="checkbox"/>
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Prior United States Filing

I hereby claim the benefit under Title 35, United States Code, § 120 or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 156(a) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

Appl. Ser. No.	Filing Date	Attorney Docket	Status
60/239,913	October 13, 2000	031000	Pending when Application No. 09/974,973 was filed; now abandoned

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name
Of Sole Or
Joint Inventor Paul D. Hanke
Inventor's
Signature _____

Date _____

Residence 2622 Wadsworth Ln.
Urbana, IL 61802

Citizenship United States of America

Post Office
Address
(if different
from above) _____

Full Name
Of Sole Or
Joint Inventor Laura B. Willis
Inventor's
Signature _____

Date _____

Residence 32 Elm Street, #1
Cambridge, MA 02139

Citizenship United States of America

Post Office
Address
(if different
from above) _____

Full Name Of
Joint Inventor Anthony J. Sinskey
Inventor's
Signature _____

Residence 285 Commonwealth Ave.
Boston, MA 02115

Citizenship United States of America

Post Office
Address
(if different
from above) MIT Biology 68-370
31 Ames Street
Cambridge, MA 02139

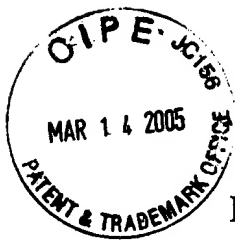
Full Name Of
Joint Inventor Stephane Guillouet
Inventor's
Signature _____

Date 02-10-2005

Residence 4 Residence du parc
31520 Ramonville

Citizenship France

Post Office
Address
(if different
from above) LBB-INSa-DGBA
135 Avenue de Rangueil
31077 Toulouse Cedex 4
France



Case No. 031001

Page 1 of 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

As a below named inventor, I hereby declare that:
I believe I am the

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☒ an original, first and joint inventor along with the other inventors listed below, of the
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Priority Claimed

Country	Number	Date Filed	Attorney Docket
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Yes	No
-----	----

Country	Number	Date Filed	Attorney Docket
			Yes No

Yes	No
-----	----

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Appl. Ser. No.	Filing Date	Attorney Docket	Status
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I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

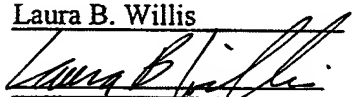
Full Name
Of Sole Or
Joint Inventor Paul D. Hanke
Inventor's
Signature

Date

Residence 2622 Wadsworth Ln.
Urbana, IL 61802

Citizenship United States of America

Post Office
Address
(if different
from above)

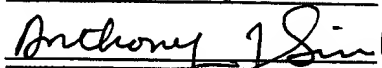
Full Name
Of Sole Or
Joint Inventor Laura B. Willis
Inventor's
Signature 

Date

Residence 32 Elm Street, #1
Cambridge, MA 02139

Citizenship United States of America

Post Office
Address
(if different
from above)

Full Name Of
Joint Inventor Anthony J. Sinskey
Inventor's
Signature 

Residence 285 Commonwealth Ave.
Boston, MA 02115

Citizenship United States of America

Post Office
Address MIT Biology 68-370
(if different
from above) 31 Ames Street
Cambridge, MA 02139

Full Name Of
Joint Inventor Stephane Guillouet
Inventor's
Signature

Date

Residence 4 Residence du parc
31520 Ramonville

Citizenship France

Post Office
Address LBB-INSa-DGBA
(if different
from above) 135 Avenue de Rangueil
31077 Toulouse Cedex 4
France



Case No. 031001
Page 1 of 3

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DECLARATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
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I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled
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the specification of which

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☒ was filed on October 12, 2001 as Application
Serial No. 09/974,973 and was amended
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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended as indicated above.

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<input type="checkbox"/>	<input type="checkbox"/>
Yes	No

Country	Number	Date Filed	Attorney Docket
			Yes No

<input type="checkbox"/>	<input type="checkbox"/>
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Appl. Ser. No.	Filing Date	Attorney Docket	Status
<u>60/239,913</u>	<u>October 13, 2000</u>	<u>031000</u>	<u>Pending when Application No. 09/974,973 was filed; now abandoned</u>

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name
Of Sole Or
Joint Inventor Paul D. Hanke
Inventor's
Signature 

Date 3/7/05

Residence 2622 Wadsworth Ln
Urbana, IL

Citizenship United States of America

Post Office
Address
(if different
from above)

Full Name
Of Sole Or
Joint Inventor Laura B. Willis
Inventor's
Signature

Date

Residence 32 Elm Street, #1
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Citizenship United States of America

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(if different
from above)

Full Name Of
Joint Inventor Anthony J. Sinskey
Inventor's
Signature

Residence 285 Commonwealth Ave.
Boston, MA 02115

Citizenship United States of America

Post Office
Address
(if different
from above)

Full Name Of
Joint Inventor Stephane Guillouet
Inventor's
Signature

Date

Residence 4 Residence du parc
31520 Ramonville

Citizenship France

Post Office
Address
(if different
from above)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:)	Examiner: Slobodyansky, Elizabeth
Hanke, Paul D.)	
)	Group Art Unit: 1652
)	
Application No. 09/974,973)	
)	
Filed: October 12, 2001)	
)	
For: FEEDBACK-RESISTANT)	
PYRUVATE CARBOXYLASE GENE)	
FROM <i>CORYNEBACTERIUM</i>)	

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR 1.48(a)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests correction of the inventorship in the above-identified patent application. Through error, and without deceptive intent on his or her part, three inventors, Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis, were not named. The only change being made in the patent application is to correct the inventorship, all parties and assignees are in agreement, and the inventorship issue is not contested.

Statements from the added inventors, the current named inventor, and the assignee are being submitted concurrently with this Request, as is the fee under 37 CFR 1.17(i).

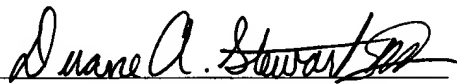
A requisite fee in the amount of \$130.00 is believed due and a check for that amount is included. The Commissioner is authorized to debit any insufficiency from or credit any overage to the correct amount to Deposit Account No. 02-4553.

CONCLUSION

Based upon the foregoing information, it is respectfully requested that the inventorship be corrected to add Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis.

Respectfully submitted,

Dated: March 14, 2005

By: 
Duane A. Stewart III
Reg. No. 54,468
BUCHANAN INGERSOLL PC
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410
(T) 412-562-1622
(F) 412-562-1041
E-mail: stewartda@bipc.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:)	Examiner: Slobodyansky, Elizabeth
Hanke, Paul D.)	
)	Group Art Unit: 1652
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Application No. 09/974,973)	
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Filed: October 12, 2001)	
)	
For: FEEDBACK-RESISTANT)	
PYRUVATE CARBOXYLASE GENE)	
FROM <i>CORYNEBACTERIUM</i>)	

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR 1.48(b)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.48(b), Applicant hereby requests correction of the inventorship in the above-identified patent application. Although Stephane Guillouet was properly named as an inventor in the petition under 37 CFR 1.48(a) filed concurrently with this petition (and based on the application and its claims as filed), cancellation of certain claims in the application render the claims such that Stephane Guillouet's invention is no longer being claimed in this nonprovisional application. Kindly delete Stephane Guillouet from the application.

The fee under 37 CFR 1.17(i) is being submitted with this request, which is signed by a party set forth in 37 CFR 1.33(b) as required by 37 CFR 1.48(b).

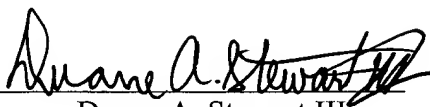
A requisite fee in the amount of \$130.00 is believed due and a check for that amount is included. The Commissioner is authorized to debit any insufficiency from or credit any overage to the correct amount to Deposit Account No. 02-4553.

CONCLUSION

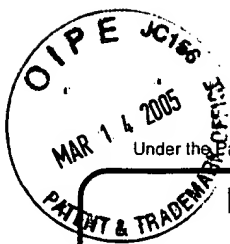
Based upon the foregoing information, it is respectfully requested that the inventorship be corrected to delete Stephane Guillouet.

Respectfully submitted,

Dated: March 14, 2005

By: 
Duane A. Stewart III
Reg. No. 54,468

BUCHANAN INGERSOLL PC
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410
(T) 412-562-1622
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E-mail: stewartda@bipc.com



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PTO/SB/171 (11-04)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/974,973
Filing Date	October 12, 2001
First Named Inventor	Hanke, Paul D.
Art Unit	1652
Examiner Name	Slobodyansky, Elizabeth
Attorney Docket Number	031001

Enclosed is a paper filed under 37 CFR 1.48(a) that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-4553:

☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☒ Check in the amount of \$ 130.00 is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.


Signature

Duane A. Stewart III
Typed or printed name

March 14, 2005

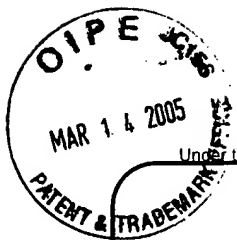
Date

54,468

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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**TRANSMITTAL
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Total Number of Pages in This Submission

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Application Number

09/974,973

Filing Date

October 12, 2001

First Named Inventor

Hanke, Paul D.

Art Unit

1652

Examiner Name

Slobodyansky, Elizabeth

Attorney Docket Number

031001

ENCLOSURES (Check all that apply)

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Firm Name	Buchanan Ingersoll PC		
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Printed name	Duane A. Stewart III		
Date	March 14, 2005	Reg. No.	54,468

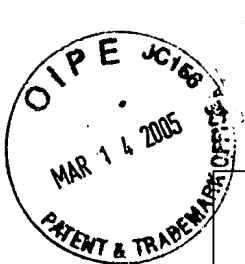
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	Serial No.: 09/974,973	Filing Date: October 12, 2001
	Title: Feedback-Resistant Pyruvate Carboxylase Gene from Corynebacterium	
	Group Art Unit 1652	Examiner Slobodyansky, Elizabeth

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